MINUTES

CONSTITUTION COMMITTEE
MONDAY, 19 JULY 2010

COMMITTEE MEMBERS PRESENT

Councillor Mrs Joyce Gaffigan
Councillor Peter Martin-Mayhew (Chairman)
Councillor Susan Sandall
Councillor Raymond Wootten

OFFICERS

Head of Legal and Democratic Services/ Monitoring Officer (Lucy Youles)
Service Manager Community Safety and Licensing (Mark Jones)
Democratic Officer (Lucy Bonshor)

1. DECLARATIONS OF INTEREST

None declared

2. MINUTES OF THE MEETING HELD ON 11TH JANUARY 2010

The minutes of the meeting held on 11th January were agreed as a correct record of the decisions taken.

3. AMENDMENTS TO THE CONSTITUTION

Recommendation

That the Constitution recommends to Council the following amendment to the Scheme of Delegation:

"to delegate the power to instigate prosecution proceedings for offences under the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and the local byelaws relating to hackney carriages is delegated to the Corporate Head of Healthy Environment, and any officers authorised in writing by the Corporate Head, in consultation with Legal Services"

That reports on the results of any prosecutions carried out under this delegation are reported back to the next scheduled Committee meeting.

Members had before them report ENV482 which asked for the scheme of delegation to be amended to delegate powers to instigate prosecution proceedings for offences under various acts relating to hackney carriages to the Corporate Head of Healthy Environment and any officers authorised in writing by him in consultation with Legal Services. Mr Jones (Service Manager Community Safety and Licensing) confirmed he was reporting in his new role as the person responsible for the provision of the licensing service. Currently there was a time issue between when the Council needed to start prosecutions and when a committee could be called, by giving delegated powers for enforcement to the Corporate Head this would speed up the process.

Members were concerned about the authority the delegation gave to officers.
The Monitoring Officer confirmed that any decision made would be made in conjunction with Legal Services and evidence to start any prosecution was required. Members referred to the extraordinary meeting that had been called to consider a current potential prosecution. The Monitoring Officer replied that the delegation would prevent the need for extraordinary meetings to be called and the costs associated with arranging a meeting. Members raised concern about how the Licensing Committee would know about the use of such delegated authority. The Monitoring Officer replied that the recommendation could be amended to include that the results of any prosecutions under this delegation be reported back to the next scheduled Licensing Committee to which Members agreed. Further comments were then made about other authority to prosecute delegated to Officers after which it was proposed, seconded and agreed to amend the scheme of delegation including the reference to prosecutions being reported back to the Licensing Committee made under this delegation.

Update of Next Steps Programme

The Monitoring Officer briefly outlined to Members changes that would be made to the Constitution under the delegated powers given to the Chief Executive following the Next Steps process and the realignment of services.
The following table outlined the changes made to the Corporate Head titles and the people in new posts.

OLD TITLE	NEW TITLE	OFFICER
Corporate Head of Finance & Customer Services	Head of Finance	Richard Wyles
Corporate Head of Resources & Organisational Development	Head of Assets	Paul Stokes

	NEW POSTS	
	Head of HR & Customer Services	Jaqui Chapman
Corporate Head of Sustainable Communities	Head of Development & Growth	Mark Willet
Director of Tenancy Services	Head of Housing and Neighbourhoods	Teena Twelves
Corporate Head of Partnerships & Improvements	Head of Legal and Democratic Services (Monitoring Officer)	Lucy Youles
Corporate Head of Healthy Communities	Head of Environmental Services	David Botwright (interim)

Members felt it would be beneficial for the new Heads to be introduced at future meetings of the Constitution Committee particularly those who were new to the authority for Members to learn who they were and what service areas they were responsible for. It would also be helpful if a document showing the new organisational structure and Heads of Section could be circulated to Members.

A further discussion followed on work that would be coming to the Constitution Committee in the future which included the new executive arrangements and the petition scheme and how it fitted into the constitution.

4. CLOSE OF MEETING

The meeting closed at 10.30am.